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MEMO ENDORSED

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April 21, 2020

VIA ECF

Honorable Ona T. Wang
United States Magistrate Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Courtroom 20D
New York, NY 10007

Re: Ambrocio Hernandez Ramirez, *et al.* v. Marketplace 41, Inc., *et al.*
Case No. 1:18-cv-10498 (JPO) (OTW)

Dear Judge Wang:

We represent the defendants Marketplace 125, Inc.; Scott Shin; and Santos Bravo in the above-referenced action. We write jointly with plaintiffs' counsel to request an adjournment of the telephonic settlement conference scheduled for April 28, 2020.

Due to the effects of COVID-19 on New York State, including the extension of Governor Cuomo's stay at home order until at least May 15, 2020, the parties acknowledge that it is extremely unlikely they will be able to proceed with the long-planned in-person settlement conference in the near future. Therefore, both parties are now inclined to proceed with a telephonic conference as originally contemplated in the Court's March 17, 2020 Order in the interest of moving forward with this matter,

However, the parties request a brief adjournment of the settlement conference because Defendants recently provided Plaintiffs with additional financial documents regarding Defendants' inability to withstand a judgment, and Plaintiffs need some time to review those documents. A brief adjournment of the settlement conference is necessary to allow for the further exchange of information and documents in advance of the settlement conference, which will further aid in the parties' efforts to resolve the case effectively and appropriately.

In light of the foregoing, the parties respectfully request an adjournment of the settlement conference for two (2) weeks, until May 13, 2020 or a date thereafter that is mutually convenient for the parties and the Court. Both parties and their counsel are available on that date. The parties also request a corresponding extension of time to provide ex parte settlement statements to May 6, 2020 or seven days before the rescheduled settlement conference.

Hon. Ona T. Wang, U.S.M.J.
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This is the parties' second request for an adjournment of the settlement conference. The parties respectfully submit that these circumstances constitute good cause for the requested extension and adjournment.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ FRANCIS J. GIAMBALVO
Francis J. Giambalvo

CC: All counsel of record (via ECF)

Application Granted. The April 28, 2020 settlement call is adjourned to May 13, 2020 at 3:00 pm. Counsel should call Chambers, (212) 805-0175, when all parties are on the line. Clients need not be present on the call, but should be available by telephone. Parties are directed to submit ex parte settlement submissions by May 6, 2020.

SO ORDERED.



Ona T. Wang Apr. 22, 2020
United States Magistrate Judge